IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CONTEMPT PETITION NO.400 OF 1993

Phulchand Prasad — Petitioner

vs.

The Chief Executive Officer
Shobha Education society,
Thane. — Respondent

Mr.C.H.Pursnani for the petitioner.

Mr.B.G.Vaidya for the respondent.

CORAM : B.H. MARLAPALLE,J.

DATED : 31st August 2005

P.C.

Consequent to the bailable warrant issued by this Court on 26.11.2001 Mr.Rahul Sharma, the secretary of the respondent-society has filed affidavit in reply. As per the said affidavit, during the pendency of the contempt petition, negotiations were held between the petitioner and the respondent-management with the help of local social workers resulting into an amicable compromise signed on 7.6.1995. A copy of the said compromise has also been placed on record. A letter dated 2.11.2001 addressed by the petitioner to the Director, Education (Secondary) has also been placed on record and the said letter states that this contempt petition does not survive any further in view of the compromise arrived at between the parties.

2. The learned counsel for the petitioner on perusal of the affidavit in reply and the documents annexed thereto states that the settlement arrived between the parties is to the total satisfaction of the petitioner and, therefore, nothing further survives in this contempt petition. Hence, the contempt petition is dismissed as withdrawn. Rule is discharged. No costs.

3. Civil application does not survive.

(B.H. MARLAPALLE,J.)